

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DEBORAH S. SKEANS, Executrix  
of the ESTATE OF FRANK E.  
PAVLIS,

Plaintiff,

v.

KEY COMMERCIAL FINANCE,  
LLC, KEY COMMERCIAL  
FINANCE PROPERTIES, LLC,  
EQUITY PROS, LLC, and MOBILE  
AGENCY, LLC

Defendants.

Civil Action No. 1:18-cv-01516-CFC

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**MEMORANDUM ORDER**

Pending before me is a motion for partial summary judgment filed by Plaintiff Deborah S. Skeans, Executrix of the Estate of Frank E. Pavlis. D.I. 82. In her Concise Statement of Facts filed in support of the motion, Skeans states that George Chadwick Self and Justin Billingsley “first discussed forming KCF *after* Self moved from North Carolina to New York in late November 2014. D.I. 84 ¶ 11 (emphasis in original). Skeans cites Self’s sworn deposition testimony to support this statement. Defendants dispute Skeans’s statement of fact, and like Skeans, cite Self’s deposition to support their position. *See* D.I. 87 at 5–6. I have reviewed Self’s deposition and agree with the Defendants that Self’s testimony is

“inconclusive with respect to when in 2014 he initiated the process of forming KCF.” *Id.* at 6.

Because there is a disputed fact that Skeans has said is material to her motion for partial summary judgment, I will deny the motion. *See Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986) (holding that summary judgment will not lie if there is a genuine dispute about a material fact).

NOW THEREFORE, at Wilmington this Second day of November in 2020, **IT IS HEREBY ORDERED** that Plaintiff Deborah S. Skeans’s Motion for Partial Summary Judgment (D.I. 82) is DENIED.

  
UNITED STATES DISTRICT JUDGE